

REMARKS

Claims 1-40 have been examined. Claims 1-16, 19, 21-23, 25-36, 39 and 40 are allowed. Claims 17, 20, 37 and 38 are rejected. The Examiner objects to claims 18 and 24. New claims 41-46 are added via this Amendment.

I. Rejection Under 35 U.S.C. §102(b) over EP 878 307 to Childers et al. (hereinafter "Childers").

Claims 17, 20, 37 and 38 are rejected under 35 U.S.C. §102(b) as being anticipated by Childers. Applicant respectfully traverses this rejection in view of the following remarks.

A. Claim 17

Claim 17 was amended in the Amendment filed on February 21, 2003, to further define the position of the contact on the ink cartridge. The Examiner now asserts that Childers discloses an ink cartridge 12 having a contact 24 and a cartridge accommodating portion 14. The Examiner also asserts that the contact 24 contacts an alleged connecting member 30 formed in the cartridge accommodating portion. The Examiner further asserts that the contact of each ink cartridge is contained on a side surface of the ink cartridge. Although the contact 24 of Childers appears to be inside of the cartridge 12 (as shown in Figure 3), the Examiner attempts to maintain his position by asserting that the contact 24 is contained in the recess and that the recess has a side surface. (See section 5 of the Office Action.)

Applicant hereby amends claim 17 to recite that the contact of the ink cartridge is contained on an “outside” surface of the ink cartridge. This feature is shown, for example, in the non-limiting, illustrative embodiment of Figure 7. Applicant respectfully submits that Childers fails to disclose this feature because, as acknowledged by the Examiner, the alleged contact 24 of Childers is positioned on a surface of the recess, i.e., inside of the cartridge. Thus, Childers does not disclose, or even suggest, the positioning of a contact on an outside surface of the ink cartridge. Accordingly, Applicant respectfully submits that Childers does not anticipate claim 17, and requests that the rejection thereof under 35 U.S.C. §102(b) be withdrawn.

B. Claim 20

Claim 20 was amended in the Amendment filed on February 21, 2003, to further define the position of the connecting members. In particular, claim 20 defines the side surface of the cartridge accommodating portion as being substantially parallel to an insertion direction of the ink cartridge. In an attempt to teach these features, the Examiner broadly construes the recitation of the cartridge accommodating portion as not only including the enclosure formed by element 14, as shown in Figure 3, but also as including the surfaces upon which the electrical contacts 30 are placed. Thus, in regard to claim 20, the Examiner asserts that the electrical contact 30 is formed on a side surface (i.e., surface of the protrusion containing the contact 30, or the sub-layer of the outer layer of the contact 30), and that such a surface is parallel to an insertion direction of the ink cartridge. (See section 5 of the Office Action.)

Applicant respectfully submits that the Examiner is straining the interpretation of Childers by attempting to first assert that element 14 teaches the claimed cartridge accommodating portion, and by further asserting that the cartridge accommodating portion has a side surface defined by a surface of the protrusion upon which the contact 30 is formed (i.e., the inner layer of the protrusion).

Thus, in regard to claim 20, Applicant respectfully submits that the surface of the protrusion upon which the contact 30 is coated or placed does not form a side surface of the cartridge accommodating portion. Moreover, claim 20 has been amended to recite that the contact is contained on an “outside surface” of the ink cartridge. Applicant respectfully submits that Childers clearly fails to teach such a feature because the contact 24 is formed within the recessed area of the cartridge 12, and not on an outside surface of the cartridge. Accordingly, Applicant respectfully submits that Childers does not anticipate claim 20, and requests that the rejection thereof under 35 U.S.C. §102(b) be withdrawn.

C. Claims 37 and 38

Childers fails to disclose the features of current pending claims 37 and 38. That is, Childers does not disclose that the side surface of the ink cartridge is substantially parallel to the aligning direction of the ink cartridges and that the side surface of the cartridge accommodating portion is substantially parallel to the aligning direction of the ink cartridges. Instead, in Childers, the side surface of the ink cartridge (the surface of the recess that contains the contact 24) is perpendicular to the aligning direction of the ink cartridges, and the side surface of the cartridge accommodating portion (the surface of the protrusion that contains the electrical con-

tact 30) is perpendicular to the aligning direction of the ink cartridges. Accordingly, Applicant respectfully submits that Childers does not anticipate claims 37 and 38, and requests that the rejection thereof under 35 U.S.C. §102(b) be withdrawn.

NEW CLAIMS

New claims 41-46 are added to obtain more varied protection for the invention. Applicant respectfully submits that the applied art fails to teach or suggest the features of these new claims. For example, Claims 41 and 42 are patentable at least by virtue of their respective dependencies on claims 37 and 38. Further, Childers does not disclose that both contacts of a pair of adjacent ink cartridges are located in a single plane. Instead, the alleged contacts, as acknowledged by the Examiner, are contained in a recess, such that contacts of adjacent ink cartridges cannot be located in a single plane.

In view of the preceding amendments and remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephonic interview, he is kindly requested to contact the undersigned attorney at the local telephone number listed below.

The USPTO is directed and authorized to charge all required fees (except the Issue Fee and/or the Publication Fee) to our Deposit Account No. 19-4880. Please also credit any over-payment to said Deposit Account.

Respectfully submitted,



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23373
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Date: August 19, 2003